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15 NOV 2006

In re Application of  
Bryans et al.  
Application No.: 10/588,876  
PCT No.: PCT/IB05/00079  
Int. Filing Date: 11 January 2005  
Earliest Priority Date: 22 January 2004  
Attorney Docket No.: PC25784A  
For: Triazole Derivatives Which Inhibit  
Vasopressin Antagonistic Activity

DECISION

This is in response to the petition under 37 CFR 1.182 filed on 11 October 2006 and the petition under 37 CFR 1.137(b) filed on 09 August 2006.

### DISCUSSION

#### *Petition Under 37 CFR 1.182*

In a decision mailed on 27 September 2006, it was observed that

Applicants filed the instant papers, including a Transmittal Letter and a petition under 37 CFR 1.137(b), on 09 August 2006. Inspection of the papers reveals a discrepancy in the international application number to which they are directed. Specifically, the Transmittal Letter is directed to international application number PCT/IB05/00009, while the petition is directed to international application number PCT/IB05/00079. Review of the available records reveals that the published title of international application PCT/IB05/00009 is Radio Network Relocation, while the published title of international application PCT/IB05/00079 is Triazole Derivatives Which Inhibit Vasopressin Antagonistic Activity, neither of which matches the title appearing on the instant Transmittal Letter or petition. A specification referring to international application PCT/IB05/00079 and entitled Triazole Derivatives Which Inhibit Vasopressin Antagonistic Activity is present in the electronic application file. Though it appears that counsel may have intended the instant papers to be directed to the national stage of international application PCT/IB05/00079, a proper petition under 37 CFR 1.182 (and associated petition fee) is required in order to correct the discrepancy noted *supra*. Treatment of the petition under 37 CFR 1.137(b) is being held in abeyance pending resolution of this matter.

In response, applicants filed the instant petition under 37 CFR 1.182. Petitioner states that "Applicants inadvertently identified the application by an incorrect title and serial number in the accompanying Transmittal Letter... Applicants submit that the correct title of the application is 'TRIAZOLE DERIVATIVES WHICH INHIBIT VASOPRESSIN ANTAGONISTIC ACTIVITY' and that the correct serial number is PCT/IB05/00079." The instant petition is accompanied by a new Transmittal Letter, Application Data Sheet and specification with the correct title and international application number recorded thereon respectively. In view of the circumstances presented in this case, it would be appropriate to conclude that the instant

application is the U.S. national stage under 35 U.S.C. 371 of international application PCT/IB05/00079. Accordingly, the petition under 37 CFR 1.182 is **GRANTED**. The corrected Transmittal Letter, Application Data Sheet and copy of the specification accompanying the petition are therefore accepted for entry into the application file as replacements for the respective papers filed on 09 August 2006.

*Petition Under 37 CFR 1.137(b)*

The petition to revive under 37 CFR 1.137(b) filed 09 August 2006 in the above-captioned application is hereby **GRANTED** as follows:

Applicant states that "the entire delay in either entering the national phase in the U.S. or filing a continuation application from the due date of July 23 2006 until the filing of a grantable petition under 37 CFR § 1.137(b) was unintentional." This is being construed as a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." Petitioner must notify the Patent and Trademark Office if such an interpretation of the statement in the petition is not correct. Thus, said statement is being accepted in satisfaction of 37 CFR 1.137(b)(3).


A review of the application file reveals that applicant has filed the required reply in the form of the basic national fee, and has paid the petition fee. Thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

**CONCLUSION**

The petition under 37 CFR 1.182 is **GRANTED**.

The petition under 37 CFR 1.137(b) is **GRANTED**.

This application is being forwarded to the United States Designated/Elected Office for further processing, including (1) the preparation and mailing of a Notification of Missing Requirements (Form PCT/DO/EO/905) requiring an executed oath or declaration compliant with 37 CFR 1.497(a) and (b) and the surcharge under 37 CFR 1.492(h), and (2) the correction of USPTO records, including PALM records, to reflect that this application is the U.S. national stage of international application PCT/IB05/00079 and that its title is "Triazole Derivatives Which Inhibit Vasopressin Antagonistic Activity."



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